



HOME BUILDERS LICENSURE BOARD

www.hblb.alabama.gov

P.O. Box 303605 • Montgomery, Alabama 36130-3605 / **Overnight Delivery:** 445 Herron Street • Montgomery, Alabama 36104
Telephone (334) 242-2230 / Facsimile (334) 263-1397

Instructions to NEW LICENSE Application

LICENSE REQUIREMENTS – Who Must Be Licensed?

ACCORDING TO ALA. CODE § 34-14A-2:

“One who constructs a residence or structure for sale or who, for a fixed price, commission, fee, or wage, undertakes or offers to undertake the construction or superintending of the construction, or who manages, supervises, assists, or provides consultation to the homeowner regarding the construction or superintending of the construction, of any residence or structure which is not over three floors in height and which does not have more than four units in an apartment complex, or the repair, improvement, or reimprovement thereof, to be used by another as a residence when the cost of the undertaking exceeds ten thousand dollars (\$10,000.00). Nothing herein shall prevent any person from performing these acts on his or her own residence or on his or her other real estate holdings. Anyone who engages or offers to engage in such undertaking in this state shall be deemed to have engaged in the business of residential home building.”

Licenses will be issued only to individuals, partnerships, corporations, limited liability companies, and non-profit organizations. The extent to which a residential home builder may engage in the residential home building business depends upon the type of license held.

INSTRUCTIONS

1. APPLICATION

All applicants must file an accurate, complete and notarized application for license with the Board.

2. BUSINESS-RELATED FINANCIAL REQUIREMENTS

All applicants must order a business-related credit report, including a public records search, to be submitted directly to the Board by a credit reporting agency. An applicant whose application is pending for more than 90 days may be required to file an updated credit report. An order form is enclosed for your convenience.

3. FEES

The annual license fee is \$205.00. A non-refundable \$100.00 new license application processing fee must also accompany applications for a new license. Please make checks in the amount of \$305.00 payable to the Home Builders Licensure Board. The Board accepts personal or company checks or money orders. The Board does not accept cash payments. **All fees must be paid before the application is processed.** Upon written request, the annual license fee will be refunded in the event an application is rejected or denied.

4. WRITTEN EXAMINATION

All applicants will be required to pass a written examination testing experience and ability prior to licensure. Testing information is enclosed. Additional information regarding the written examination is available on the Board's website: www.hblb.alabama.gov. All testing fees will be paid directly to the testing agency.

APPLICATION CHECKLIST

- ☐ Application Completed, Signed and Notarized
(Corporation, partnership and limited liability company applications must have signatures notarized in both Sections 5 and 6.)
- ☐ Check or money order in the amount of \$305.00 made payable to Home Builders Licensure Board enclosed
- ☐ Ordered Business-Related Credit Report
- ☐ Attach Certificate of Good Standing from the Alabama Department of Revenue if a corporation, limited liability company, or limited partnership.
- ☐ Attach Certificate of Existence from the Alabama Secretary of State if a foreign (out-of-state) corporation, limited liability company, or limited partnership.
- ☐ Attach a copy of the Articles of Incorporation, Partnership Agreement, or Articles of Organization, WHICH HAVE BEEN FILED WITH THE PROBATE JUDGE, if a corporation, limited liability company, or limited partnership. Additionally, if applying as a corporation, attach a separate listing of officers, i.e., copy of signed minutes, amendment to articles, or other signed document reflecting the current officers.



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Application for NEW LICENSE

(INDIVIDUALS)

OFFICE USE ONLY

(Date Stamp)

Check No. _____

Amount Paid _____

INSTRUCTIONS: Please type or print in ink all information. Do not send copies or facsimile transmissions.

ALL QUESTIONS MUST BE ANSWERED COMPLETELY. Use additional sheets if necessary. **Make check or money order** for \$305.00 (\$205.00 license fee plus \$100.00 non-refundable new license application processing fee) payable to the Home Builders Licensure Board. All fees must be paid before the application will be processed.

NOTICE: Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. Holding an individual license does not allow you to engage in residential construction through an unlicensed corporation, partnership, or limited liability company.

SECTION 1:

Full Name _____ Social Security Number _____
(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.)

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

Street Address _____

City _____ County _____ State _____ Zip _____

Mailing Address _____

City _____ County _____ State _____ Zip _____

Business Phone () _____ Cellular Phone () _____

Fax () _____ E-mail Address _____

SECTION 2:

IF YOU ANSWER **“YES”** TO ANY OF THE FOLLOWING QUESTIONS, **YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.**

☐ Yes ☐ No 1. Within the past 7 years, have you pled guilty or nolo contendere, or been convicted of a felony?

☐ Yes ☐ No 2. Within the past 7 years, were you or any company of which you were either a partner, officer, member, or manager declared or placed in bankruptcy?

If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.

If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.

If the bankruptcy has been discharged, provide a copy of the discharge order.

☐ Yes ☐ No 3. Within the past 7 years, did you or any company of which you were either a partner, officer, member, or manager have any professional or business license revoked or suspended?

☐ Yes ☐ No 4. Do you, or any entity of which you are the Designated Qualifying Representative, have any pending disciplinary actions before this Board?

If yes, provide the name of the homeowner involved: _____

(Continued on back)

Revised 01/12

SECTION 2: *Continued from page 1*

- ☐ Yes ☐ No 5. Within the last 7 years, have you or any company of which you are either a partner, officer, member, or manager applied to this Board or to any other government agency in Alabama or any other state, for a home builder's license (or a similar license)?
- If license was granted, attach a copy to this application.
- If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 6. Are there any liens for labor or materials filed on any of your work or the work of any firm of which you are a partner, officer, member, or manager?
- ☐ Yes ☐ No 7. Within the past 7 years, have you, or any company of which you were either a partner, officer, member, or manager been identified by this Board as an unlicensed builder?

SECTION 3: BUSINESS-RELATED FINANCIAL INFORMATION

A credit report, including a public records search, must be submitted directly to the Board by a credit reporting agency. Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under *Ala. Code* § 34-14A-7(a)(4).

SECTION 4: OATH AND RELEASE FOR INDIVIDUALS

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; and further, that if granted a license by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom I have been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

Printed Name of Individual Applicant

Signature of Individual Applicant

County of _____)

State of _____)

Signed and sworn to before me this _____ day of _____, _____ .
(Month) (Year)

Signature – Notary Public _____

(Notarial Seal)

My Commission Expires: _____

Application for NEW LICENSE

(CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

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Telephone (334) 242-2230 / Facsimile (334) 263-1397

OFFICE USE ONLY

(Date Stamp)

Check No. _____

Amount Paid _____

INSTRUCTIONS: Please type or print in ink all information. Do not send copies or facsimile transmissions. **ALL QUESTIONS IN EVERY SECTION MUST BE ANSWERED COMPLETELY.** Use additional sheets if necessary. **Make check or money order for \$305.00 (\$205.00 license fee plus \$100.00 non-refundable new license application processing fee) payable to the Home Builders Licensure Board. All fees must be paid before the application will be processed.**

NOTICE: Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. A corporation, partnership, or limited liability company license allows you to engage in residential construction only in the name of the company granted the license. A corporation, partnership, or limited liability company license allows one person to serve as a qualifying representative. Other partners, officers, members, or managers should apply for an individual license.

SECTION 1:

Please designate appropriate business form: ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ LLC

▶ A copy of the articles of incorporation, partnership agreement or articles of organization must be attached. If applying as a corporation, please attach a separate listing of officers, i.e. copy of signed minutes, amendment to articles or other signed document.

Business Name _____

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

Federal Tax Employer ID Number _____ State Tax ID Number _____

Street Address _____

City _____ County _____ State _____ Zip _____

Mailing Address _____

City _____ County _____ State _____ Zip _____

Business Phone () _____ Cellular Phone () _____

Fax () _____ E-mail Address _____

If the applicant is a limited partnership or LLC, when and where was the agreement filed?

Date _____ County _____ State _____

If the applicant is a corporation, when and where was it incorporated?

Date _____ County _____ State _____

Where is the principal office of the business?

Street Address _____

City _____ State _____ Zip _____

☐ Yes ☐ No If the applicant is a corporation, limited partnership or LLC, is it in good standing with the Alabama Department of Revenue?

If yes provide a copy of the Certificate of Good Standing issued by the Alabama Department of Revenue.

☐ Yes ☐ No If the applicant is a foreign (out-of-state) corporation, limited partnership or LLC, has it received the Certificate of Authority issued by the Secretary of State's office to transact business in Alabama?

If yes provide a copy of the Certificate of Authority issued by the Secretary of State of Alabama.

(Continued on page 2)

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SECTION 2: DESIGNATED QUALIFYING REPRESENTATIVE

You must provide the following information for the general partner, officer, member, or manager who will serve as the qualifying representative.

Name _____ Social Security# _____ Title _____
(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.)

Address _____ Years with Firm _____

Does the qualifying representative currently hold an individual home builders license or serve as a qualifying representative of a corporation, partnership, or limited liability company licensed by this agency? ☐ Yes ☐ No

If Yes, list name _____ and file number _____

You must provide the following information for other partners, officers, members or managers.

Name _____ Social Security# _____ Title _____
(Disclosure Voluntary*)

Address _____ Years with Firm _____

Name _____ Social Security# _____ Title _____
(Disclosure Voluntary*)

Address _____ Years with Firm _____

Name _____ Social Security# _____ Title _____
(Disclosure Voluntary*)

Address _____ Years with Firm _____

SECTION 3:

IF YOU ANSWER “YES” TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.

- ☐ Yes ☐ No 1. Within the past 7 years, has any partner, officer, member, or manager of this company pled guilty or nolo contendere, or been convicted of a felony?
- ☐ Yes ☐ No 2. Within the past 7 years, was this company, or any partner, officer, member, or manager or any entity of which this company is a successor, declared or placed in bankruptcy?
If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.
If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.
If the bankruptcy has been discharged, provide a copy of the discharge order.
- ☐ Yes ☐ No 3. Within the past 7 years, did this company, or any partner, officer, member, or manager or any entity of which this company is a successor, have any professional or business license revoked or suspended?
- ☐ Yes ☐ No 4. Does the applicant, or the applicant's designated qualifying representative, either individually or as the designated qualifying representative of any other entity, have any pending disciplinary actions before this Board?
If yes, provide the name of the homeowner involved: _____
- ☐ Yes ☐ No 5. Within the last 7 years, have you or any company of which you are either a partner, officer, member, or manager applied to this Board or to any other government agency in Alabama or any other state, for a home builder's license (or a similar license)?
If license was granted, attach a copy to this application.
If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 6. Are there any liens for labor or materials filed on any of the homes constructed by this company, or any partner, officer, member, or manager or any entity of which this company is a successor?
- ☐ Yes ☐ No 7. Within the past 7 years, has this company, or any partner, officer, member, or manager of this company, been identified by this Board as an unlicensed builder?

SECTION 4: BUSINESS-RELATED FINANCIAL INFORMATION

A credit report on the entity, including a public records search, must be submitted directly to the Board from a credit reporting agency. Any entity whose application is pending for more than 90 days may be required to file an updated credit report.

* Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Ala. Code § 34-14A-7(a)(4).

NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AND NOTARIZED.

SECTION 5: OATH AND RELEASE FOR DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

Printed Name of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer, Member or Manager)

Signature of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer, Member or Manager)

Its: _____

Position Held

County of _____)

State of _____)

Signed and sworn to before me this _____ day of _____ , _____
(Month) (Year)

Signature – Notary Public _____

(Notarial Seal)

My Commission Expires: _____

SECTION 6: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; and further, that if the applicant is granted a license by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

Printed Name of Authorized General Partner, Officer, Member or Manager

Signature of Authorized General Partner, Officer, Member, or Manager

Its: _____

Position Held

County of _____)

State of _____)

Signed and sworn to before me this _____ day of _____ , _____
(Month) (Year)

Signature – Notary Public _____

(Notarial Seal)

My Commission Expires: _____

NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AND NOTARIZED.



THOMAS SURTEES
Commissioner

Department of Revenue

Montgomery, Alabama 36132
(www.ador.state.al.us)

CYNTHIA UNDERWOOD
Assistant Commissioner

LEWIS A. EASTERLY
Secretary

NOTICE TO NEWLY QUALIFIED COMPANIES

Under Alabama Code Section 40-14A-22(a), any company that comes into existence, qualifies or registers to do business, or commences doing business in Alabama must file an initial Alabama Business Privilege Tax return within two and one-half months of the date of qualification; no extension of time to file is available on the initial return. Forms and detailed instructions are available at the Alabama Department of Revenue website link: http://www.ador.state.al.us/incometax/bpt_index.htm.

If you have questions concerning the Alabama Business Privilege Tax return, you may contact a Department representative at (334) 353-7923. For questions concerning other types of taxes that your company may need to file, such as, Sales and Use Tax, Withholding Tax, etc., please contact the Department's Central Registration Unit at (334) 242-1170 for additional information.

NOTICE FROM HOME BUILDERS LICENSURE BOARD:
PRIVILEGE TAX RETURN MUST BE FILED WITH ALABAMA DEPT. OF
REVENUE BEFORE 2 1/2 MONTHS IN ORDER FOR YOU TO GET THE
CERTIFICATE OF GOOD STANDING. OUR BOARD WILL NOT REVIEW AN
APPLICATION WITHOUT THIS DOCUMENT. MAKE SURE YOU REQUEST
THIS CERTIFICATE IN THE COMPLETE COMPANY NAME.

NOTICE FOR CORPORATIONS, LIMITED LIABILITY COMPANIES, OR LIMITED LIABILITY PARTNERSHIPS

If you are a **foreign (out of state)** corporation, limited liability company (LLC), or limited liability partnership (LLP) you must provide a **Certificate of Existence** from the Alabama Secretary of State's office. You may order this certificate online at www.sos.alabama.gov or you may contact their office at (334)242-5324.

If you are a corporation, limited liability company (LLC), or limited liability partnership (LLP), you must provide a **Certificate of Good Standing** from the Alabama Department of Revenue (ADOR). **Required for in-state and out-of-state companies.**

To request the **Certificate of Good Standing**, you must to do the following:

1. If you have not already done so, if you are a corporation, LLC or LLP, you must register your company with the Alabama Secretary of State's office. You may register online at www.sos.alabama.gov or you may contact their office at (334)242-5324.
2. If you have formed a corporation, LLC, or LLP, you must file the appropriate **Business Privilege Tax form** with ADOR. You may download this form at: www.ador.alabama.gov (e-Services Section) or contact the Business Privilege Tax Division at (334)242-9800.
3. Order the **Certificate of Good Standing** from ADOR. You may order this certificate online at www.ador.alabama.gov (e-Services Section) or you may contact ADOR at (334)353-7944. **IMPORTANT: Make sure certificate is ordered in your complete Company name.**

NOTICE: In order to request and provide a Certificate of Good Standing from the Alabama Department of Revenue (ADOR), you must go ahead and pay the Alabama Business Privilege Tax before the 2 ½ month ADOR requirement.

NOTICE

Conducting business through a corporation, partnership, or limited liability company that does not hold an Alabama Home Builders License is a violation of the law.

INDIVIDUAL LICENSEES: You may engage in residential homebuilding only in your individual capacity or through a licensed entity of which you are an employee, partner, officer, or member. If you are conducting business through a corporation, partnership, or limited liability company that does not hold an Alabama Home Builders License, you are in violation of the law.

DESIGNATED QUALIFYING REPRESENTATIVE: You may engage in residential home building only through the entity that holds the Alabama Home Builders License. If you wish to engage in residential home building either individually or through another entity that does not hold an Alabama Home Builders License, you must obtain a license either individually or on behalf of the unlicensed entity. If you are conducting business through an unlicensed entity, you are violating the Home Builders Licensure Law.

There are penalties and injunctions applicable to unlicensed builders. Pursuant to *Ala. Code* § 34-14A-14(2002), any person who undertakes or attempts to undertake the business of residential homebuilding without a valid license, which has neither expired or been revoked, is guilty of a Class A misdemeanor. The Board may stop the construction work of any person or entity who undertakes or attempts to undertake the business of residential homebuilding without a valid license. The Board may issue a stop work order to the owner of the property or to his or her agent, or to the residential homebuilder, or to the person doing the work, and set the conditions under which work may be resumed. A residential homebuilder who is required to be licensed, but who does not hold a State of Alabama Home Builders License, may not bring or maintain any action to enforce a contract for residential construction.

Year 2011 Credit Report Order Form

Holloway Credit Solutions, LLC

Post Office Box 230609 ♦ Montgomery, AL 36123

Phone (800) 264-2700 ext. 310 / (334) 396-1310 ♦ Fax (800) 489-0067 / (334) 396-1350

For faster processing you may fill out this application online at www.hollowaycredit.com!

Please fax this application with your credit card payment or mail it with your check in the enclosed postage paid envelope.

The credit report fee is \$35.00 for all applicants.

Type of Application:

☐ Individual

☐ Corporation or LLC

☐ Partnership

File Number: _____

OR

☐ New Applicant

Applicant Information:

Name _____
(If the license is for a corporation, LLC or a partnership, use company name)

Mailing Address _____

City _____ State _____ Zip _____

Business Phone (_____) _____ Fax (_____) _____

E-mail address _____

List any other names you do business under _____

If you hold the license as an INDIVIDUAL, provide the following information.

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

If you hold the license as a CORPORATION or LLC, provide the following information:

Officer / Member _____ Title _____

Officer / Member _____ Title _____

If you hold the license as a PARTNERSHIP, provide the following information.

Information about additional partners may be attached on a separate sheet.

Number of partners _____

☐ Check here if your partnership is LESS than one year old.

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

Name _____ Social Security Number (optional) _____

Address _____ City _____ State _____ Zip _____

By submitting this form you authorize Holloway Credit Solutions, LLC ("HCS") to obtain credit reports as needed or required by the State of Alabama, Home Builders Licensure Board. You also authorize HCS to contact additional references to provide us with information regarding their credit experience with you or your company. HCS shall not be liable to you or your company for any loss resulting from said reports and their preparation, including but not limited to loss of business or contracts from information contained in the reports. HCS shall use all reasonable efforts to make sure that all the information within the reports is accurate in accordance with the terms of this agreement. HCS will provide you, your company and/or each partner with a copy of the report along with an information sheet to help you interpret the information on the report and how to handle any discrepancies

Signature _____ Title _____ Date _____

Method of Payment

Please select the method of payment you prefer. Payment must be received to release your report.

If paying by credit card, to avoid duplication of charge do not mail application after faxing.

☐ American Express

☐ VISA

☐ MasterCard

☐ Check or Money Order

Cardholder's Name _____ Billing Address _____

Account Number _____ Card Verification Number _____ Expiration Date _____